

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 RICHARD MARKS,

Case No. 2:19-cv-01359-APG-EJY

5 Plaintiff,

ORDER

6 v.

7 WILLIAMS, *et al.*,

8 Defendants.

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10 **I. DISCUSSION**

11 When Plaintiff initiated this action, he did not pay the filing fee or file a motion to proceed
12 in forma pauperis as is required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. (ECF No. 1).
13 On August 12, 2019, the Court ordered Plaintiff to either pay the filing fee or file a fully complete
14 application to proceed in forma pauperis, including the required executed financial certificate and
15 inmate account statements for the past six months. (ECF No. 3 at 2). Plaintiff has filed a motion
16 for an extension of time to file an application to proceed *in forma pauperis* and states that he needs
17 this time in order to acquire the required documents. (ECF No. 4). As with all plaintiffs seeking
18 to proceed *in forma pauperis*, Plaintiff was required to obtain these documents and file them with
19 his complaint. Nevertheless, the Court will grant one extension of time to file the fully complete
20 application to proceed *in forma pauperis*. Plaintiff shall file his complete application to proceed
21 *in forma pauperis* by October 11, 2019. If Plaintiff fails to timely file a complete application,
22 including the required financial documents, by that date, the Court will dismiss this action without
23 prejudice to Plaintiff filing an action when he has the required documents.

24 **II. CONCLUSION**

25 For the foregoing reasons, IT IS ORDERED that the motion for extension of time (ECF
26 No. 4) is granted. By October 11, 2019, Plaintiff shall either pay the required filing fee or file a
27 complete application to proceed *in forma pauperis*, including a properly executed financial
28 certificate and account statements for the past six months.

1 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order, the
2 action will be dismissed without prejudice.

3 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
4 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
5 entitled information and instructions for filing an in forma pauperis application.

6 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF
7 No. 1-1), but shall not file it at this time.

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9 DATED THIS 10th day of September 2019.

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13 UNITED STATES MAGISTRATE JUDGE
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